



08-12-04

1771  
JW

PTO/SB/21 (02-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

<b>Application Number</b>	09/332,815	
	<b>Filing Date</b>	September 17, 1999
	<b>First Named Inventor</b>	John A. Zebala
	<b>Art Unit</b>	1771
	<b>Examiner Name</b>	Cheryl Juska
<b>Attorney Docket Number</b>	7.004	
<b>Total Number of Pages in This Submission</b>	31	

**ENCLOSURES (Check all that apply)**

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<b>Remarks</b>	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

<b>Firm or Individual name</b>	Peter J. Knudsen (Reg. No. 40682)
<b>Signature</b>	
<b>Date</b>	August 11, 2004

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
<b>Typed or printed name</b>			
<b>Signature</b>		<b>Date</b>	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



EXPRESS MAIL NO. ER185592967

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: : John A. Zebala  
Application No. : 09/332,815  
Filed: : September 17, 1999  
For : *POROUS COATINGS BEARING LIGAND ARRAYS  
AND USE THEREOF*

Examiner : Cheryl Juska  
Art Unit: : 1771  
Docket No. : 7.004  
Customer # : 35188

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Washington DC 20231-1450

AMENDMENT UNDER RULE 121

Commissioner for Patents:

This Amendment is filed in response to the Notice of Non-Compliant Amendment (37 CFR 1.121) dated February 5, 2004, in which the Examiner required resubmission of the Listing of the Claims with proper status identifiers. This Amendment also supplements Applicant's response to the February 21, 2004 Office Action.

As per Applicant's telephone conversation with Examiner Terrel Morris on July 14, 2004, Examiner acknowledged that the Notice of Non-Compliant Amendment dated February 5, 2004 was inappropriately sent to the wrong mailing address. Examiner noted a new Notice of Non-Compliant Amendment will be sent to the correct address for Customer No. 35188 thereby resetting the time to reply, and voiding any late fees.

Resubmission of claims begins on page 2 of this paper. The Argument begins on page 26.